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Global Gaming Philippines, LLC	:
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	:
Plaintiff(s),	:
	:
-v-	:
	:
Enrique K. Razon, Jr., et al.	:
	:
Defendant(s).	:
	:
-----X	

21 Civ. 2655 (LGS)

CIVIL CASE
MANAGEMENT PLAN
AND SCHEDULING
ORDER

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CIVIL CASE
MANAGEMENT PLAN
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ORDER

This Civil Case Management Plan is submitted by the parties in accordance with Fed. R. Civ. P. 26(f)(3).

- Revised November 9, 2018

4. Alternative Dispute Resolution/Settlement

- a. Settlement discussions [have _____ / have not X] taken place.
- b. Counsel for the parties have discussed an informal exchange of information in aid of early settlement and have agreed to exchange the following:
N/A. _____

- c. Counsel for the parties have discussed the use of the following alternate dispute resolution mechanisms for use in this case: (i) a settlement conference before a Magistrate Judge; (ii) participation in the District's Mediation Program; and (iii) retention of a private mediator. Counsel for the parties propose the following alternate dispute resolution mechanism for this case:
~~The Parties have discussed the possibility of an early settlement. The Parties agree that the possibility of an early settlement is unlikely, and that discussion of the form or timing of alternative dispute resolution is premature at this stage of the litigation.~~

- d. Counsel for the parties recommend that the alternate dispute resolution mechanism designated in paragraph 4(c) be employed at the following point in the case (e.g., within the next 60 days; after the deposition of plaintiff is completed (specify date); after the close of fact discovery):
N/A. _____ aaa _____

- e. **The use of any alternative dispute resolution mechanism does not stay or modify any date in this Order.**

5. No additional parties may be joined after two months prior to the close of fact discovery _____ without leave of Court.

6. Amended pleadings may be filed without leave of Court until , for the first amended pleading, June 15, 2021 or 21 days after service of a motion under 12(b), whichever is later. _____.
Further amended pleadings require leave of Court.

7. Initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1) shall be completed no later than 7* days from the date of this Order. *[Within 14 days of the parties' Rule 26(f) conference, absent exceptional circumstances.]*

8. Fact Discovery
Defendants request that initial disclosures be stayed, along with all discovery, pending the resolution of Defendants' forthcoming Motion to Dismiss. If discovery is not stayed, then Defendants request that initial disclosures be completed no later than 7 days from the date of this Order.
October 11, 2021
Plaintiff's proposal ("P"): 4/28/2022
Defendants' proposal ("D"): 9/10/2021

- a. All fact discovery shall be completed no later than _____
[A period not to exceed 120 days, unless the Court finds that the case presents unique complexities or other exceptional circumstances.]

b. Initial requests for production of documents pursuant to Fed. R. Civ. P. 34 shall be served by ~~XX/20/2021~~.

c. Responsive documents shall be produced by ~~XX/18/2021~~ ~~XX/20/2021~~.
Do the parties anticipate e-discovery? [Yes X / No _____]

d. Interrogatories pursuant to Fed. R. Civ. P. 33 shall be served by
~~P: 3/29/2022~~
~~D: 8/20/2021~~

e. Depositions pursuant to Fed. R. Civ. P. 30, 31 shall be completed by
~~P: 4/28/2022~~
~~D: 9/1/2021~~

f. Requests to admit pursuant to Fed. R. Civ. P. 36 shall be served by
~~P: 3/29/2022~~
~~D: 9/10/2021~~

g. **Any of the deadlines in paragraphs 8(b) through 8(f) may be extended by the written consent of all parties without application to the Court, provided that all fact discovery is completed by the date set forth in paragraph 8(a).**

The parties shall meet and confer to set interim fact discovery deadlines that allow for the completion of all fact discovery by October 11, 2021. These deadlines may be set by the written consent of the parties and without application to the Court.

9. Expert Discovery [if applicable]

a. Anticipated types of experts if any:

Plaintiff's Experts: Experts on alter-ego issues, corporate governance and co-mingling, a financial accounting expert, and damages experts. To the extent Defendants argue Philippine law applies, an expert on Philippine law. Experts to rebut experts presented by Defendants.

Defendants' Experts: Expert on Philippine law. Experts to rebut experts presented by Plaintiff.

b. If you have identified types of experts in question 9(a), all expert discovery shall be completed no later than ~~P: 6/13/2022~~ ~~D: 10/25/2021~~ **December 27, 2021**
[Within 45 days from the date in paragraph 8(a), i.e., the completion of all fact discovery, absent exceptional circumstances.] Omit if you have not identified types of experts.

c. If you have identified types of experts in question 9(a), by ~~P: 2/28/2022~~ ~~D: 8/10/2021~~ [no later than one month before the date in paragraph 8(a), i.e., the completion of all fact discovery] the parties shall meet and confer on a schedule for expert disclosures, including reports, production of underlying documents and depositions, provided that (i) expert report(s) of the party with the burden of proof shall be due before those of the opposing party's expert(s); and (ii) all expert discovery shall be completed by the date set forth in paragraph 9(b).

10. This case [is P: X / is not D: X] to be tried to a jury.

11. Counsel for the parties have conferred and their present best estimate of the length of trial is 2-3 weeks.

12. Other issues to be addressed at the Initial Pretrial Conference, including those set forth in Fed. R. Civ. P. 26(f)(3), are set forth below:

~~Defendants' anticipated Motion to Dismiss. Defendants' anticipated Motion to Stay All Discovery Pending Resolution of Defendants' Forthcoming Motion to Dismiss. Defendants' request to also stay initial disclosures pending resolution of Defendants' forthcoming Motion to Dismiss. Plaintiff's request for relief from the restrictions of Rule II.A.1(a), (b), and (c) of the Court's Individual Rules.~~

13. Status Letters and Conferences

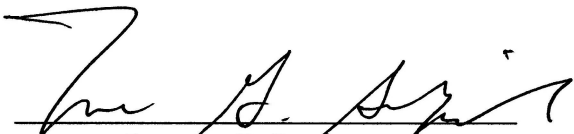
- a. ~~By 6/23/2021~~ **On June 17, 2021, and every thirty (30) days thereafter** [60 days after the commencement of fact discovery], the parties shall submit a joint status letter, as outlined in Individual Rule IV.A.2.
- b. ~~By D: 9/24/2021~~ **P: 5/12/2022 October 25, 2021** [14 days after the close of fact discovery], the parties shall submit a joint status letter, as outlined in Individual Rule IV.A.2 and, in the event that they have not already been referred for settlement discussions, shall also advise the Court whether or not they request a referral for settlement discussions as provided in Paragraph 4(c) above.
- c. ~~On 2/11/8/2021 at 10:00 AM~~ **P: 5/12/2022 January 13, 2022, at 10:40 a.m.** [usually 14 days after the close of all discovery], a pre-motion conference will be held for any anticipated dispositive motions, provided:
- i. A party wishing to file a summary judgment or other dispositive motion shall file a pre-motion letter **at least two weeks before the** conference and in the form provided in the Court's Individual Rule III.A.1. Any party wishing to oppose shall file a responsive letter as provided in the same Individual Rule. The motion will be discussed at the conference. To join the conference, the parties shall call (888) 363-4749 and use Access Code 558-3333. The time of the conference is approximate, but the parties shall be ready to proceed at that time.
 - ii. **If no pre-motion letter is timely filed, this conference will be canceled and the matter placed on the Court's trial-ready calendar.** The parties will be notified of the assigned trial-ready date and the filing deadlines for pretrial submissions. The parties are warned that any settlement discussions will not stay pretrial deadlines or the trial date.

This Order may not be modified or the dates herein extended, except as provided in paragraph 8(f)) or by further Order of this Court for good cause shown. Any application to modify or extend the dates herein, except as provided in paragraph 8(f), shall be made in a written application in accordance with the Court's Individual Rules and shall be made no less than 2 business days prior to the expiration of the date sought to be extended.

The Clerk of Court is directed to enter the dates under paragraphs 5, 6, 8(a), 9(b)-(c) and 13(a)-(c) into the Court's calendar.

So Ordered.

Dated: May 13, 2021
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

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